

APR 11 2011

STATE OF WASHINGTON  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE WASHINGTON STATE GAMBLING COMMISSION

GAMBLING COMMISSION  
COMM & LEGAL DIVISION

In the Matter of the Suspension or  
Revocation of the License to Conduct  
Gambling Activities of:

VAISE SIUFAUNUA,

Licensee.

OAH DOCKET NO. 2011-GMB-0016

WSGC No. CR 2010-01440

ORDER OF DEFAULT  
(Failure to Appear at Pre-Hearing  
Conference)

### 1. ORDER SUMMARY

- 1.1 Licensee failed to appear for hearing and therefore Licensee defaulted. Based upon Licensee's default, the penalties specified in the Notice of Administrative Charges in this matter shall be imposed, subject to further Gambling Commission action.
- 1.2 Based upon Licensee's default, Licensee's Application for Hearing shall be dismissed.

### 2. HEARING

- 2.1. **Administrative Law Judge:** Douglas H. Haake
- 2.2. **Date of Hearing:** February 7, 2011
- 2.3. **Licensee:** Vaise Siufanua
  - 2.3.1 **Licensee Representative:** None of Record/None Appeared
- 2.4 **Agency:** Washington State Gambling Commission
  - 2.4.1 **Agency Representative:** H. Bruce Marvin, Assist. Attorney General

### 3. STATEMENT OF THE CASE

- 3.1 A hearing was scheduled on this matter for April 7, 2011 at 10:10 am. The Notice of Hearing was served by mail on March 17, 2010, and informed Licensee that Licensee was required to attend a hearing before an Administrative Law Judge of the Washington Office of

Administrative Hearings. The Notice of Hearing informed the Licensee of the time and location of the hearing. The Notice of Hearing further informed the Licensee that, "You must participate in the conference. If you do not, a default may be entered."

- 3.2 The Administrative Law Judge timely convened the hearing as set forth in the Notice of Hearing. The Washington State Gambling Commission timely appeared through its above-named representative. The Licensee did not appear.
- 3.3 Following the Licensee's non-appearance, the Gambling Commission moved for a default order of penalty consistent with the penalty stated to occur in the Notice of Hearing if the Licensee failed to participate in the hearing.
- 3.4 The Administrative Law Judge considered the files and records in this matter and found no apparent reason why the motion of the Gambling Commission should not be granted. Therefore, the Gambling Commission's motion shall be granted.

#### 4. ORDER

##### IT IS ORDERED:

- 4.1 Licensee is in DEFAULT.
- 4.2 Licensee's gambling license is hereby revoked, effective immediately, subject to further action by the Gambling Commission.
- 4.3 Licensee's Application for Hearing is dismissed.

Signed at Olympia, Washington, this 8<sup>th</sup> day of April 2011.



Douglas Haake  
Administrative Law Judge  
Office of Administrative Hearings  
PO Box 9046  
Olympia, WA 98507-9046

#### NOTICE TO THE PARTIES OF APPEAL RIGHTS

You may file an appeal of this order within twenty three days from the day OAH mails this initial order to you. WAC 230-17-090(2); see also WAC 230 -17 -030(2), WAC 230 -

17 -035(2) [Service by first class mail is complete three days after mailing.]. An appeal from an initial order is known as a "petition for review". Your petition for review should (a) identify the parts of the initial order you disagree with and (b) refer to the evidence in the record that supports your position. If you decide to petition for review, you must serve copies of your petition on all parties or their representatives at the same time you file it with the Gambling Commission. If the Commission does not receive a petition for review within 23 days, the Commission will automatically make this order its final order.

Any party may file a written response to a petition for review, known as a reply. If you wish to file a reply, it must be filed with the Commission within thirty days of the date you are served with the petition. You must serve copies of the reply on all parties or their representatives at the same time you file your reply.

Any party may file a cross appeal. Cross appeals must be filed with the commission within ten days of the date when the petition for review is filed with the Commission. WAC 230 -17 -090(5). If you wish to make a cross appeal, you must serve copies of the cross appeal upon all other parties or their representatives at the same time you file your cross appeal.

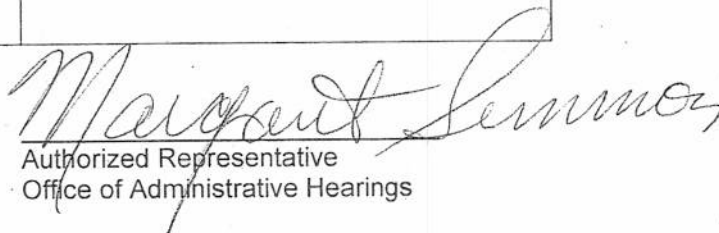
If a party timely files a petition for review, then at least a majority of the Commission members shall review the petition within 120 days and render a final order.

**Certificate of Service – OAH Docket No. 2011-GMB-0016**

I certify that true copies of this document were served from Olympia, Washington on the following as indicated.

Address:  Vaise Siufanua 10904 SE 220 <sup>th</sup> Place Kent, WA 98031	First Class Mail, Postage Prepaid
Address:  H. Bruce Marvin Assistant Attorney General Office of the Attorney General PO Box 40100 Olympia, WA 98504-0100	First Class Mail, Postage Prepaid
Address:  Washington State Gambling Commission Communications and Legal Department PO Box 42400 Olympia, WA 98504-2400	First Class Mail, Postage Prepaid
Address:	
Address:	
Address:	

Date April 8, 2011

  
Authorized Representative  
Office of Administrative Hearings